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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/822,653	03/30/2001	Aamir A. Abbasi	CS10883	7663
20280	7590	02/24/2005	EXAMINER	
MOTOROLA INC 600 NORTH US HIGHWAY 45 ROOM AS437 LIBERTYVILLE, IL 60048-5343			NGUYEN, THUAN T	
			ART UNIT	PAPER NUMBER
			2685	

DATE MAILED: 02/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/822,653

Applicant(s)

ABBASI, AAMIR A.

Examiner

THUAN T. NGUYEN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Bauer (US Pub 2001/0024967 A1).

Regarding claims 1 and 6, Bauer discloses a portable electronic device comprising a user interface (Fig. 3 for a portable electronic device comprising conventional user interfaces such as a display and keypad/as items 2 & 3 & 6 for user interfaces); a lighting circuit including a light source to illuminate the user interface (page 1, section 0001-0004 for a power source to illuminate the user interface; Fig. 3/item 7 for a light-sensitive sensor –for claim 6, and page 1, section 0011), wherein a control circuit 6 having a delayed operation mode, i.e., a measurement of the elapsed time while detecting the user activation using the sensor, to determine whether a first activation of the user interface illuminates the user interface without performing any other operation of the device and a second activation of the user interface performs an operation of the device other than illuminating the user interface, i.e., without performing any other operation, the user

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simply touches the phone and the light is at full display for the user to use, see page 1, section 0006; and as the user turns on the device in an area where the ambient light condition is enough (or the condition of ambient light addressed), the user interface is automatically switching to a full display for the user to view and operate as normal (for claim 6), and as long as the user moves or uses the device, a motion sensitive sensor 8 detects the movement and allows the user to operate the device other than illuminating the user interface (page 1, sections 0011-0014).

As for claim 2, Bauer discloses the terminal for mobile communication including a display and an input device (Fig. 3/ items 2-3 for the display and item 6 for a control input of the device, page 1, section 0011), wherein a control circuit 6 having a delayed operation mode, i.e., a measurement of the elapsed time while detecting the user activation using the sensor, to determine whether a first activation of the user interface illuminates the user interface without performing any other operation of the device and a second activation of the user interface performs an operation of the device other than illuminating the user interface, i.e., as the user turns on the device in an area where the ambient light condition is enough, the user interface is automatically switching to a full display for the user to view and operate as normal, and as long as the user moves or uses the device, a motion sensitive sensor 8 detects the movement and allows the user to operate the device other than illuminating the user interface (page 1, sections 0011-0014).

As for claim 3, this limitation is met as Bauer discloses a light sensor 7 detects the ambient light condition for generating an ambient light signal based on the ambient light condition (page 1, section 0014).

As for claims 4 and 5, these limitations are met as Bauer teaches that appropriate construction and programming of the device for different operating states can be performed by evaluating the ambient light conditions such as below a minimum illumination level –absent of the ambient light—or within a shorter duration by measurement of the elapsed time and by means of sensors, for switching the display to appropriate display levels (page 1, section 0014).

As for claims 6-20, with the limitation of claim 6 is already included in claim 1 above for light sensor and ambient conditions, these claims with same limitations as already addressed in claims 1-5 are rejected for the reasons given in the scope of claims 1-5 as disclosed above.

Response to Arguments

3. Applicant's arguments filed on 9/21/04 have been fully considered but they are not persuasive.

Applicant argues that in claim 1, there is no light sensor needed to illuminate the user interface while in fact in claim 6 the Applicant needs a light sensor to illuminate the user interface; and the Examiner invites the Applicant to take a closer look in page 1, section 0006, as the user does not need a light sensor, i.e., the user simply touches the phone and a full display is shown, referring to the backlighting of user interfaces for the user to use. In the previous action, the Examiner rejects the claims based on the specifications not word-by-word literary, and the power source is addressed for lighting up the user interface as noted above. Claim 6 is clearly needs a light sensor and based on the ambient light conditions, the device can be adjusted the ambient light of the user interface accordingly as disclosed in page 1, sections 0013-0014.

Conclusion

4. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

5. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9306, (for Technology Center 2600 only)

*Hand-delivered responses should be brought to Crystal Park II,
2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).*

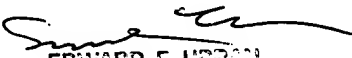
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tony Thuan Nguyen whose telephone number is (703) 308-5860. The examiner can normally be reached on Monday-Friday from 9:30 AM to 7:00 PM, with alternate Fridays off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban, can be reached at (703) 305-4385.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600 Customer Service Office** whose telephone number is **(703) 306-0377**.

Tony T. Nguyen
Art Unit 2685
February 14, 2005


EDWARD F. URBAN
SUPERVISORY PATENT ENGINEER
TECHNOLOGY CENTER 2600